REMARKS

Claims 1-5 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Nakano et al. (6,334,087 [hereinafter "Nakano"]).

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference (*Verdegaal Bros. v. Union Oil Co.*, 814 F.2d 628, 631 (Fed. Cir. 1987); MPEP 2131). Nakano does not disclose each of the claimed elements, as will be appreciated by the Examiner.

In particular, claims 1, 5 and 7 are directed to novel combinations of elements that respectively form a new and unobvious device, system and method, with features not disclosed by Nakano. Nakano is directed to a map system with a server that holds databases for map data, traffic information, and one or more mobile terminals for receiving information from the server through telecommunications. (See Nakano, col. 9, lines 34-40.)

The server of Nakano performs a route search according to search condition data transmitted from the mobile terminal side, extracts information related to the route obtained by the search, and transmits the route to the mobile terminal side. (See Nakano, col. 12, line 66-col. 13, lines 1-5.) Only map information related to the desired route is transmitted, thus, the amount of transmitted information is reduced. (See Nakano, col. 21, lines 34-38.)

Figure 13 of Nakano illustrates a diagram showing a correspondence between elements (bitmaps) and element IDs. (See Nakano, col. 9, lines 8 and 9.) Route information downloaded from the server includes IDs for the bitmaps that are to be produced in the mobile terminal. (See Nakano, col. 17, lines 1-17.) Therefore, the mobile terminal of Nakano receives the IDs from the

2

server and then reproduces a corresponding bitmap, such as a right turn picture, a left turn

picture, etc. Nakano makes reference to "updating" the mobile terminal, which refers to the

mobile terminal being provided with the server information, including the element IDs, upon

initially downloading the route information. Applicant respectfully submits that after the

Examiner obtains a further understanding of Nakano, it will be understood why the claimed

features are not disclosed by Nakano.

For example, claim 1 recites, *inter alia*:

"a communication control unit configured to control the communication unit
to transmit the control information stored in the control information storing unit to
the information center on *prescribed times* so as to receive latest control information
transmitted from the information center."

Claims 5 and 7 also include a similar feature in regard to transmitting the information on

prescribed times. The applied terminal device of Nakano does not transmit control information

to an information center on "prescribed times." Instead, the mobile terminal of Nakano transmits

information to the server when the driver makes an input, such as selecting a starting point and

destination point. (See Nakano, col. 12, lines 1-17.) The server of Nakano then provides the

mobile terminal with information. However, one skilled in the art would not consider the

terminal transmission of Nakano to be conducted at "prescribed times," as recited in claims 1, 5

and 7. Instead, the transmission from the mobile terminal of Nakano is done randomly when the

driver makes a selection. For at least this reason, Nakano fails to teach or suggest the features of

claims 1, 5 and 7.

Moreover, claim 1 recites:

"*a map updating unit* configured to determine that the map information
stored in the map storing unit is to be updated when the map updating unit *compares*

the map information *stored in the information center* and the map information *stored in the map storing unit* while *referring to the control information* stored in the control information storing unit and *judges* that the map information stored in the information center is newer than the map information stored in the map information storing unit."

Claim 1 describes a *map updating unit* which determines that the map information stored in the map storing unit is to be updated. This is done by the map updating unit *comparing* the map information *stored in the information center* (e.g., an information center located outside of the vehicle) and the map information *stored in the map storing unit.* The terminal device of Nakano is not disclosed as comparing its information with information stored in the server, in the manner recited in claim 1. Instead, Nakano discloses that the server provides the mobile terminal with map information after receiving a start and destination point, however, the mobile terminal of Nakano does not provide a comparing aspect, as in claim 1. Claims 5 and 7 include a similar feature and are likewise not anticipated by Nakano.

Moreover, the map updating unit (of the terminal device) in claim 1 judges that the map information stored in the information center is *newer* than the map information stored in the map information storing unit of the terminal device. A similar aspect is recited in claims 5 and 7. These features are likewise not disclosed by Nakano. If the Examiner disagrees, he is respectfully requested to clarify his position with particular reference to Nakano.

Even further, the ground of rejection relies on Nakano for disclosing a "map updating unit," and refers to cols. 15 and 22 of Nakano (See Office Action, page 3, lines-13). The language in col. 22, lines 20-22, of "update of the map," refers to an update of the "server" side information. This information may be used to update the mobile terminal; however, Nakano does not include a map updating unit which is updated as recited in claim 1. For example, the

mobile terminal of Nakano does not include a map updating unit to determine that the map information is to be updated when the map updating unit *compares* the map information *stored in the information center* and the map information *stored in the map storing unit.* As disclosed above, such a "comparing" feature is not present in Nakano, such that the map updating unit of claim 1 is not disclosed. Claims 5 and 7 include a similar feature and are likewise not anticipated by Nakano.

Accordingly, Applicant respectfully submits that the above-noted features, along with the other features respectively recited in the claims, provide unique combinations of elements that are not disclosed by Nakano, such that the rejections of claims 1, 5 and 7 under 35 U.S.C. § 102(b) should be withdrawn.
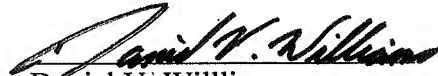
Further, Applicant respectfully submits that rejected dependent claims 2-4 are: (1) allowable at least by virtue of their dependency; and (2) separately patentable over the applied references. For example, the features of claim 2 provide an inventive aspect <u>also not</u> disclosed by Nakano. Claim 2 recites that the control information includes information of *update dates* on which the map information was updated in the information center. See, for example, the exemplary, non-limiting embodiments of Figures 5A-5C, and the accompanying disclose on at least pages 11-13 of the present specification. Nakano is silent in regard to any such control information having information of update dates on which map information was updated in an information center.

CONCLUSION

In view of the above, reconsideration and allowance of this application are now believed

to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is

kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

Daniel V. Willliams
Registration No. 45,221

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: July 5, 2006